

Angus S. King, Jr.
Governor



Kevin W. Concannon
Commissioner

State of Maine
DEPARTMENT OF HUMAN SERVICES
Augusta, Maine 04333

August 16, 2002

Liz Mack, Project Officer
Department of Health & Human Services
Centers for Medicare & Medicaid services
7500 Security Boulevard, Mail Stop S2-14-26
Baltimore, Maryland 21244-1850

Dear Ms. Mack;

This letter is in reference to the Maine HIV/AIDS Section 1115 demonstration program that was approved on July 1, 2002.

The Maine Department of Human Services is requesting a change in the Terms and Conditions as outlined in the February 24, 2000 document. Specifically, we are requesting a change in Section IV, Program Design/Operational Plan, sub-section F, Cost Sharing, item 1, Co-payment Information: "the State will notify providers in writing that they may not refuse to provide services if the co-payment is not paid." We request that providers be able to refuse service if the member is unable to pay the \$10 co-payment for physician's office visits and prescription drugs.

As this is a demonstration program, not an entitlement, it is felt that the requirement that services be provided regardless of whether co-payments are paid or not, would represent a significant hardship to providers of services to this group of members. This is especially true since the co-payment amount for pharmacy and physician office services is \$10, which may represent a significant portion of the total charge. We feel that the removal of this requirement is in keeping with current CMS policy provisions for other, more recent Waiver programs.

Thank you for your consideration.

Sincerely,

Eugene Gessow
Director
Bureau of Medical Services